

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WESTCHESTER FIRE INSURANCE)
COMPANY; NORTH RIVER)
INSURANCE COMPANY,)

Plaintiffs)

vs.)

TREESDALE, INC.; PITTSBURGH)
METALS PURIFYING COMPANY,)
Defendants)

2:05cv1523

Electronic Filing

Judge David Stewart Cercone/

Magistrate Judge Amy Reynolds Hay

TREESDALE, INC.; PITTSBURGH)
METALS PURIFYING COMPANY,)
Counter-Claimants)

vs.)


WESTCHESTER FIRE INSURANCE)
COMPANY; NORTH RIVER)
INSURANCE COMPANY,)
Counter-Defendants)

MEMORANDUM ORDER

AND NOW, this 1st day of May, 2008, after the Plaintiffs filed

an action in the above-captioned case, and after Plaintiffs filed a Motion for Summary Judgment [Document No. 34], and after a Report and Recommendation [Document No. 55] was filed by the United States Magistrate Judge giving the parties until April 14, 2008 to file written objections thereto, and objections having been filed by Plaintiffs and a response to objections having been filed by Defendants, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion for Summary Judgment submitted on behalf of Plaintiffs [Document No. 34] is DENIED.



DAVID STEWART CERCONI
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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